

NO. 22973

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

ANTHONY BENITEZ, aka Anthony Richardson, Defendant-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(CR. NO. 98-2022)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba JJ.)

Defendant-appellant Anthony Benitez appeals from the judgment of conviction and sentence for one count of promoting a dangerous drug in the third degree in violation of Hawai'i Revised Statutes (HRS) § 712-1243 (1993 & Supp. 1998), and driving without a license in violation of HRS § 286-102 (1993 & Supp. 1998). On appeal, he argues that the circuit court erred in denying his motion to suppress evidence found pursuant to a traffic stop and eventual arrest by Officer Patrick Maher.

Upon careful review of the record and the briefs submitted by the parties, we resolve defendant-appellant's argument as follows: Maher validly stopped Benitez when he had reasonable and articulable facts which, taken together with the rational inferences drawn from those facts, created reasonable suspicion that a traffic violation occurred. Therefore,

IT IS HEREBY ORDERED that the trial court's judgment of conviction is affirmed.

DATED: Honolulu, Hawai'i, October 17, 2000.

Joseph R. Mottl, III
for defendant-appellant

Mangmang Qiu Brown,
Deputy Prosecuting Attorney,
for plaintiff-appellee